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Besolutions in messagefam, of thanks, tributes of respect, resolutions adopted by societies or persons, unless of public concern, will only be printed in this paper as advertisements.

Entered at the Pessagio, Alexandria, Virginia, as second-class matter.

Important Decisions.

The Court of Appeals rendered two importent de i ions on Thursday involving the rights of property helders as against municipalities is the matter of making street improvement.

The first case was that of Page against Belvin et als

In February, 1889, Mejor L. R Page and other property owners on Grace street, Richmond, patitioned the Committee on Streets o repare the gutters on that street. On the 18t of May the council, on the recommendation of the committee, resolved "that the sum of \$575 be, and the same is hereby, appropriated from the street fund to pave granite gutters on bett sides of Grace street from Eight to Sixth street." In the winter from Fifth to Sixth streets." In the winter of 1889-90 the grade of Grace attest in front of Major Page's house was lowered some three feet. Major Page therefore sued certain members of the street or mmittee, Colonel Cut haw (the city engineer), and two of the contractors or workmen who did the work, for a tresepase on his property, upon the ground that he was the owner of Grace street in fee to the middle thereof in front of his lot, sutject only to the city's lawful use thereof and that this change the grade of the street was made by there gentlemen without authority of law.

After he instituted the suit the City Coun oil adopted a resolution ratifying and confirming the work done and the contracts made in reference there'o. The work cost

On the trial the Circuit Court instructed the jury that the council had the power to authorize the grading of the street, and that as it had ratified the sems, the jury must find for the defendants.

A verdict was found in accordance with this instruction. Therefore Major Page obtrined a supersedess from the Court of Appeals, which on Thursday unanimously reversed the judgment of the Circuit Court,

and be'd-1. That the fee of Grace street to the middle thereof in front of his let was in

2 That the resolution ratifying the acts and doings of the defendants in lowering the grade of the street was null and void, because under the charter the Council itself can only change the grade of a street by an ordinance or resolution previously en-acted. That as it could not itself do the thing that was done in the way it was done, it could not ratify it when so done by

3 That as the work was done without lawful anthority Major Page had at the time it was done a vested right of action for redress for the wrong done him which the

Clouncil could not take away.

The case was remanded for further proceedings in accordance with the opinion of

the Court.

The decision involves the rights of propart; holders and tax-payers in all the cities. Henceforth it is to be regarded as settled that work done in the paying of streets and injurious to horses and cattle. I invite all who is volving a change of grade can only be involving a change of grade can only be done by authority of the City Council upon resolution or ordinance adopted before the work has been commenced, and that such authority being legislative and judicial in its character cannot be delegated to the Street Committee or any engineer of the city, and if the work is done without such previous authority of the C ty Council it is incapable of ratification by subsequent ac-

lon of such body. The opinion of the Court was delivered by

Judge Lacy. The other case was that of Stearns's ex scutor against the city of Richmond.

In the year 1882 the city of Bichmond, prosecuting the work of building what is known as Church Hill avenue, in order to make a convenient approach to the avenue from Franklin street, ordered that that por-tion of 21st street between Broad and Franklin, should be graded according to plans submitted by the city engineer and adopted by the Council. This involved an excavation, which, at the intersection of 21st and Grace, attained a depth of 60 or more feet. The ate Franklin Stearns was the owner of the lot of land fronting on the north side of Grace at its intersection with the east line of 213'. Upon this lot were two small brick tenements, of which the western wall was

situated 20 feet from the east line of 21st street, and the necessary results of this evacuation was to throw the land and buildings into the cut below. Mr. Stearns brought a sult against the city for damages. Upon the first trial of the case

in the Circuit Court the jury found a ver-dict for the plaintiff for \$1,000, which, on motion of the city, was set aside by the court. The case was then submitted, both sides waiving a jury. That court upon the same evidence rendered a judgment for the city, and from this an appeal was taken by the plaintiff, Franklin Stearns, jr, executor of Franklin Stearns, deceased.

Franklin Stearts, deceased.

The contention of the city was that under its general powers it had a right to grade this street in the muner in which it did grade it. The contention on the part of the plaintiff was that the action of the city amounted to a taking of private property for jubic purposes, and therefore he was entitled to the constitutional protection, which provides that personal property shall not be so taken without making just compensation, and a majority of the Court of Appeals so held, Judge Lewis delivering the opinion. The court reversed the judgment of the Circuit Court and set up the verdict of the jury in the court below and directed that a judgment be entered in favor of the plaintiff.

plaintiff.
Judge Hinton concurred in the result, but dissented from the views expressed.
This is not a case of what is termed consequential damages, as illustrated in property being left standing above or below the street grade.
Mrs. Stearn's property was utterly annihilated.

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I have returned to Alexandria and offer to the public my professional services in all the branches of Dentistry. I will be associated with Dr. D. N. Rust, 122 south Washington street. J. H. BITZER, D. D. S.

I have had Dr. J. H. Bitzer with me several years, and I know him to that extent that it gives me pleasure to recommend him to the public as a competent Dentist. D. N. RUST.

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CHOICE POTATOES for family use, in store and for sale by CARR & SWETNAM. Cor. King and Washington st. feb12

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We have just received the fellowing very de-sirable goods suitable for Spring Wear, we offer at Solitog Prices.

LATEST EFFECTS IN DRESS GOODS, Coneisting of Broad Cloths, Bedford Cords, Cheviots, Henriettas, Serges, Plaid Mixtures, &c. OUR TRIMMING STOCK

Was never more complete, newest thades of China and Eurah Eilks, Silk Velvets, Gimpes, Braids, Cord , Parsamentaries, &c. OUR BLACK GOODS STOCK

Of which we have always made specialty, has been largely improved by the recent addition of many new weaves in conjunction with cur regular line of Cashmeres, Henriettas, Serges, Nun's Veilings, Pa'istes, &c. WASH GOODS.

We are showing in great variety Outting Flan-nels, Ginghams, Printed Bedford Cords, Percales, Callcors, and other wash fabrics WHITE GOODS AND EMBROIDERY

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Specs will not permit of further enumeration.

A call and in pection is earnestly solicited.

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Alexandria, Va., April 1, 1892.

Notice is Herry given that the pattnership heretofore curied on by Fusan Rafferty and John T. Rafferty, under the name and style of M. J. Rafferry & SON, has this day been dissolved by mutual consent, and in future the business will be carried on by the said JOHN T. Rafferry on his separate account, under the old name of M. J. RAFFERRY & SON. He will assume all liabilities of the old firm and receive all money due the same.

Thanking the public for their rast patronage and wishing the same for the new firm. we are respectfully, apl 1w JNO. T. RAFFERTY,

LEGAL.

A DMINISTRATOR'S NOTICE.

All persons indebted to the lett GEORGE C.
HEWES are hereby notified that I require immediate settlement of the amount due, and all rersors having claims against the estate of said George C. Howes, are required to present the same to meduly authenticated.

PARK AGNEW,
mb24 30d Adm'r o' George C. Hewes, dec'd.

NOTICE.

All persons indebted to the late firm of HEWES & ATTOHESON are hereby notified that they must settle the same before the first day of May, 1892, or I will be compelled to bring suit, as I am required to close the affairs of said firm as early as possible.

DEW. AITCHESON, mar18 twy1 early as possible. mar18 tmy1 Eurylving partner.

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A large and select stock of LADIIS', GENTS' AND CHILDREN'S UNDERWEAF, with

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Our brand of BARRELED FISH has always stood Fo. 1 in the market.

Terms—C. O. D., or best references.

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L INEN REVERSIBLE COLLARS at MACS B. SLAYMAKEE'S. FOSTER'S KID GLOVES, latest Spring Shades all sizes at [mh16] AMOS B. SLAYMAKER'S

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THE BEST SHOE IN THE WORLD FOR THE MONEY?

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